

**BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO**

WILLIAM PAUL BECKHAM,

Claimant,

v.

IDAHO CONCRETE,

Employer,

and

LIBERTY MUTUAL FIRE INSURANCE,

Surety,

Defendants.

**IC 04-525105**

**ORDER**

Filed December 29, 2005

Pursuant to Idaho Code § 72-717, Referee Rinda Just submitted the record in the above-entitled matter, together with her proposed findings of fact and conclusions of law, to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendation of the Referee. The Commission concurs with this recommendation. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant sustained injuries to his left knee, including a medial meniscal tear and patellofemoral irritation, as a result of his industrial accident of November 1, 2004;
2. Claimant is entitled to all medical care that he has received to date as well as such additional care, including surgery, that may be reasonably required by Claimant's treating physicians. Defendants shall also pay all interest and penalties that may have accrued on past-due accounts or accounts turned over for collection;

3. Claimant is entitled to TTDs or TPDs as appropriate for the period of November 1, 2004 through March 28, 2005 based on an average weekly wage of \$538.92;

4. Claimant is entitled to an award of attorney fees in the amount of 30% of medical and time loss benefits, pursuant to Idaho Code § 72-804 for Defendants' unreasonable denial of his claim. IDAPA 17.02.08.033;

5. Pursuant to Idaho Code § 72-734, all compensation due and payable pursuant to this decision shall accrue interest from the date of the Commission's Order at the statutory rate of 8.375% as set by the State Treasurer effective July 1st, 2005;

6. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all matters adjudicated.

DATED this \_\_29th day of \_\_December\_\_\_\_\_, 2005.

INDUSTRIAL COMMISSION

\_\_\_\_\_/s/\_\_\_\_\_  
Thomas E. Limbaugh, Chairman

\_\_\_\_\_/s/\_\_\_\_\_  
James F. Kile, Commissioner

\_\_\_\_\_/s/\_\_\_\_\_  
R.D. Maynard, Commissioner

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Assistant Commission Secretary

### **CERTIFICATE OF SERVICE**

I hereby certify that on the \_29 day of \_\_December\_\_, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following persons:

J BRENT GUNNELL  
317 HAPPY DAY BLVD STE 120  
CALDWELL ID 83607

W SCOTT WIGLE  
PO BOX 1007  
BOISE ID 83701-1007

djb

\_\_\_\_/s/\_\_\_\_\_